

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 6, 1994
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:09 p.m.
Deputy Mayor Stevens adjourned the meeting at 7:28 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-excused by R-284260
(Attend workshop on transportation energy)
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-not present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

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- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Venerable Benton Pandito of the Navaram Buddhist Monastery.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding United Nations Slaves and United Nations Gun Control.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A093-125.)

ITEM-PC-2: REFERRED TO INTERGOVERNMENTAL RELATIONS
DEPARTMENT, TO BE HEARD BY THE RULES COMMITTEE AND
THE CITY COUNCIL ON JUNE 20, 1994

Comment by Paul Peterson urging Council to contact Bob Filner and Lynn Schenk to sign the Discharge Petition #12 in support of H.R. 3261.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A127-186.)

ITEM-PC-3:

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Comment by Bruce Henderson urging the City Council to reconsider their decision to extend medical benefit to people not related by marriage or birth and to debate the issue in open session.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A187-248.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comment by Scott Wright regarding a serious allegation brought before him accusing him of intoxication and his suspension of a full week of pay.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A251-264.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Warden requesting a moment of silence in honor of the veterans who landed in Normandy 50 years ago on D-Day.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A272-283.)

ITEM-CC-2:

Comment by Council Member Vargas voicing his concern regarding the process of labor negotiations.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A284-301.)

ITEM-30:

SUBJECT: Philippine Independence Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1880) ADOPTED AS RESOLUTION R-284001

Designating June 12 through 18, 1994, as "Philippine
Independence Week."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A302-388.)

MOTION BY VARGAS TO ADOPT. Second by Stallings. Passed by
the following vote: Mathis-not present, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: San Diego County Water Authority 50 Year Anniversary.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1859) ADOPTED AS RESOLUTION R-284002

Recognizing the San Diego County Water Authority for
its local, regional, statewide and national leadership
in providing safe and reliable water supply to the San
Diego region;

Encouraging all San Diegans to commend the San Diego
County Water Authority for its 50 years of successful
and continuing service to the people of San Diego
County.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A389-516.)

MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the
following vote: Mathis-not present, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: Joseph Wong Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1728) ADOPTED AS RESOLUTION R-284003

Congratulating and thanking Joseph Wong for his service
to the downtown community;

Declaring Monday, June 6, 1994, to be "Joseph Wong Day"
in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A517-B012.)

MOTION BY ROBERTS TO ADOPT. Second by Kehoe. Passed by the
following vote: Mathis-not present, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Paradise Hills Community Association Day.
(District-4.)

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1790) ADOPTED AS RESOLUTION R-284004

Commending and acknowledging the Paradise Hills
Community Association for their hard work and
commitment towards the betterment of their
neighborhood;

Proclaiming June 6, 1994 to be "Paradise Hills
Community Association Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B013-050.)

MOTION BY STEVENS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34:

SUBJECT: Clairemont Woman's Club 40th Anniversary.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1784) ADOPTED AS RESOLUTION R-284005

Congratulating the Clairemont Woman's Club on its 40th Anniversary and looking forward to the Club's efforts for many years to come.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B051-096.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: APPROVED

Approval of Council Minutes for the Meetings of:
05/16/94
05/17/94
05/23/94 Adjourned
05/24/94 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A265-271.)

MOTION BY VARGAS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

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ITEM-50:

SUBJECT: 25-Year Joint Use Agreement with the San Diego Unified
School District.
(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-94-113) INTRODUCED, TO BE ADOPTED JULY 5, 1994

Introduction of an Ordinance authorizing a 25-year
Joint Use Agreement with the San Diego Unified School
District, for the construction, operation, maintenance,
and lease of turfed field and recreation facilities at
Scripps Ranch High School;

Authorizing the expenditure of not to exceed \$100,000
from CIP-29-801.0, Scripps Ranch High School Joint Use
Athletic Field Lighting, for the construction of joint
use athletic field lighting.

CITY MANAGER SUPPORTING INFORMATION:

The proposed lease agreement provides for a 25-year no-fee joint
use facility at Scripps Ranch High School in the Scripps Miramar
Ranch Area. The terms of the agreement allow for the operation
and maintenance of turfed, irrigated and lighted multi-use
playing fields and the reimbursement for construction of joint
use athletic field lighting. The San Diego Unified School
District funded and administered the contracts for design and
construction of the joint use athletic fields in order to more
efficiently coordinate and expedite the development with the
construction of the high school. This agreement will provide for
the reimbursement of \$100,000 to the District for design and
development of the joint use athletic field lights, and further
provides for the use of the facility by the City and the District
as well as the maintenance and repair responsibilities of both
agencies.

Aud. Cert. 9401097.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B097-236; H313-397.)

MOTION BY WARDEN TO INTRODUCE THE ORDINANCE AND TO BRING
BACK FOR ADOPTION IN FOUR WEEKS. Second by McCarty. Passed
by the following vote: Mathis-not present, Roberts-not

present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-100:

SUBJECT: Awarding a Contract for Balboa Park Plaza de Balboa
Cascades and Tile Rehabilitation.
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1508) ADOPTED AS RESOLUTION R-284006

Accepting the low bid of Tri-Core Construction (San
Diego), and awarding a contract for Plaza de Balboa
Cascades and Tile Refurbishment in the amount of
\$110,000;

Authorizing the expenditure of not to exceed \$40,000
from CIP-21-834.0, Balboa Park/Mission Bay Park
Requirements, as a funding source for CIP-21-840.0,
Balboa Park Plaza de Balboa Cascades and Tile
Rehabilitation, to supplement funding authorized by
Resolution R-282424.

(BID-K94005B)

CITY MANAGER SUPPORTING INFORMATION:

Plaza de Balboa is located immediately west of Park Boulevard,
between the Natural History Museum and Reuben H. Fleet Space
Theater. This project includes the renovation of the existing
cascades and the replacement of 5,000 square feet of broken clay
tiles with stamped concrete. Bids for this project were opened
on December 21, 1993.

The low bid was \$139,200, significantly over the estimate. Those
bids were rejected on February 7, 1994, and the project was
readvertised. Bids were received again on March 4, 1994. The
low bid of \$110,000, submitted by Tri Core Construction, is
\$16,000 higher than the estimate of \$94,000.

Additional project financing has been identified and acceptance
of the low bid is recommended.

Aud. Cert. 9401096.

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SUBJECT: Awarding Contracts for Plumbing Fixtures for the Retrofit Program, Phase III.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1641) ADOPTED AS RESOLUTION R-284008

Awarding contracts to Westburne Supply Co. (San Diego, CA), Standard Plumbing and Industrial Supply (San Diego, CA), and J. A. Sexauer, Inc. (Scarsdale, N.Y.) for furnishing plumbing fixtures for the Retrofit Program, Phase III, as may be required for a period of one year beginning June 1, 1994 through May 31, 1995, for a total estimated cost of \$200,663.40, including tax.
(BID-H4268/94)

FILE LOCATION: CONT - Purchase - Westburne Supply Co. (San Diego, CA), Standard Plumbing and Industrial Supply (San Diego, CA), and J. A. Sexauer, Inc. (Scarsdale, N.Y.) CONFY94-3

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Inviting Bids for the Modification of Crosby Street - Harbor Drive to I-5.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1509) ADOPTED AS RESOLUTION R-284009

Inviting bids for the Modification of Crosby Street -Harbor Drive to I-5 on Work Order No. 119896;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of \$2,761,000 from

CIP-52-513.0, Crosby Street - Harbor Drive to I-5
(\$1,261,000 from TransNet Fund 30300, \$1,290,000 from
EDA, and \$210,000 from State and Local Partnership);

Authorizing the City Auditor and Comptroller, upon
advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate
reserves;

Authorizing the City Manager to accept and execute the
Federal Grant (EDA) in the amount of \$1,290,000 for
Crosby Street - Harbor Drive to I-5, CIP-52-513.
(BID-K94231)

CITY MANAGER SUPPORTING INFORMATION:

This project, identified in CIP-52-513.0, Crosby Street - Harbor Drive to Interstate 5, will widen Crosby Street from a two-lane facility to a modified four-lane major street. This project will also provide 10 feet of decorative sidewalk, new pavement, street scape amenities and landscaping, a water main, drainage facilities, new curbs, and traffic signals along Crosby Street at the intersections of Main Street, Newton Avenue, and National Avenue. On-street parking will be prohibited within the project limits. This project has been coordinated with the proposed Mercado Redevelopment Project and is consistent with the Barrio Logan Redevelopment Plan. The right-of-way for the project is currently being acquired and will be completed prior to construction.

Aud. Cert. 9401144.

FILE LOCATION: W.O. 119896 CONT - L. R. Hubbard Construction
Co. Inc. CONFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Two actions related to the Final Map of South Creek
Parcels 35-48 Unit No. 7.

(This 61-lot subdivision is located southeasterly of

Poway Road and Springhurst Drive. Sabre Springs
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1819) ADOPTED AS RESOLUTION R-284010

Authorizing a Subdivision Improvement Agreement with
Pardee Construction Company, for the installation and
completion of public improvements.

Subitem-B: (R-94-1818) ADOPTED AS RESOLUTION R-284011

Approving the final map.

FILE LOCATION: SUBD - South Creek Parcels 35-48 Unit No. 7
CONTFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Approving Parcel Map W.O. No. 930168.

(Located on the west side of Haller Street and north of
Boundary Street. Greater North Park Community Area.
District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1869) ADOPTED AS RESOLUTION R-284012

Approving Parcel Map W.O. No. 930168.

FILE LOCATION: SUBD - Hal-Spectrum, Lot 11, div.

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.

Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Two actions related to the San Ysidro Boulevard
Landscape Maintenance District No. 1.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1780) ADOPTED AS RESOLUTION R-284013

Resolution of Intention to annex territory and to levy
and collect assessments on the San Ysidro Boulevard
Landscape Maintenance District No. 1.

Subitem-B: (R-94-1781) ADOPTED AS RESOLUTION R-284014

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action proposes to annex territory to the district and the second public hearing establishes the annual assessments for the San Ysidro Landscape Maintenance District No. 1. The district provides maintenance for the landscaping, decorative pavement, decorative sidewalk and street amenities such as bollards, benches and planter boxes. The Fiscal Year 1995 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$17,500
Personnel	7,711
Utilities	1,325
Incidentals	9,739
Total Expenses	\$36,275
Reserve	19,411
Total	\$55,686
Less Carry-over and Interest	(31,524)
Less City Contribution	(343)
Assessed to District	\$23,819

The assessments are based on the frontage along San Ysidro Boulevard. The proposed unit assessment for Fiscal Year 1995 is \$16.80 per frontage foot of parcel, the same as for Fiscal Year

1994. Nine City-owned properties with a total frontage of 448 feet have been converted to public right-of-way, resulting in the trailer park parcel (APN 666-380-19-00) now fronting the road. Therefore, it is recommended that the trailer park parcel be annexed to the district. It is proposed that the trailer park be assessed starting in Fiscal Year 1996.

FILE LOCATION: STRT M-339

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Washington Street Landscape Maintenance District.
(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1840) ADOPTED AS RESOLUTION R-284015

Authorizing the expenditure of not to exceed \$34,585.28 from Annual Allocation - Assessment Districts, CIP-58-002, TransNet Fund 30300, for engineering costs incurred in the Washington Street Landscape Maintenance District, Job Order No. 119491.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved formation of the Washington Street Landscape Maintenance District (LMD) on August 3, 1993. Since 1990, the engineering costs necessary to form the district amounted to \$46,585.28 through December 1993. However, during the four year period the scope, size and extent of the project has changed. Due to the unusual alignment of Washington Street involving both horizontal and vertical curves, it was necessary to revise the original concept after formation of the LMD had been initiated. Thus it is not appropriate for the district to fund the initial phase of the maintenance district formation activity.

Staff's discussions with the Mission Hills Association determined

that the LMD's fair share of costs should be \$12,000. The balance of \$34,585.28 is recommended to be expended from the Assessment District's Annual Allocation (CIP-58-002). This fund source is used to pay for assessment district costs that are not the proper responsibility of the property owners within the district being formed and those districts that have failed to be established for one reason or another. All charges over the \$46,585.28 will be billed to the LMD.

Aud. Cert. 9401079.

FILE LOCATION: STRT M-331

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Three actions related to Governor Drive (Stresemann St.
to Regents Road) Underground Utility District.
(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1856) ADOPTED AS RESOLUTION R-284016

Designating September 1, 1994 as the date upon which all property in the Governor Drive (Stresemann Street to Regents Road) Underground Utility District must be ready to receive underground service and October 1, 1994 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-94-1857) ADOPTED AS RESOLUTION R-284017

Authorizing the Auditor and Comptroller to open Fund No. 78071 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Governor Drive (Stresemann Street to Regents Road) Underground Utility District;

Authorizing payment to all property owners in the

Governor Drive (Stresemann Street to Regents Road)
Underground Utility District as reimbursement for
electrical service underground conversion work done on
private property whenever the required length of
trenching exceeds one foot;

Authorizing the Auditor and Comptroller to return to
San Diego Gas and Electric Company any undisbursed
funds.

Subitem-C: (R-94-1858) ADOPTED AS RESOLUTION R-284018

Authorizing the expenditure of not to exceed \$43,610
from Annual Allocation - Undergrounding of City
Utilities, CIP-37-028.0, TransNet Fund 30300, for the
purpose of administering the Governor Drive (Stresemann
Street to Regents Road) Underground Utility District,
minor City force work, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The Governor Drive (Stresemann Street to Regents Road)
Underground Utility District was created by the City Council on
October 6, 1992. The resolution creating the district left the
matter of the actual dates for converting services and removing
overhead facilities to be established later. This action will
set September 1, 1994 as the Customer Ready Date, which will
require that, upon this date, all affected customers within the
underground utility district must have their services prepared to
receive service from the new underground system. This action
will also establish October 1, 1994 as the Pole Removal Date,
which will require that, upon this date, all overhead facilities
within the underground utility district must be removed. The
utility companies concur with these proposed dates.

Council Policy 800-2 provides for the use of California Public
Utilities Commission Case 8209 funds to assist in financing the
conversion of private electric service laterals in all
underground utility districts.

Funding consists of a lump-sum reimbursement based upon the
length of the electrical service trench. The property owner
remains responsible for all remaining conversion costs.

Aud. Cert. 9401120.

FILE LOCATION: STRT K-205

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109: RETURNED TO CITY MANAGER

SUBJECT: Reducing the North Park Redevelopment Project Area
Committee (PAC) from 12 to 11 Seats.
(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1867)

Amending the Project Area Committee (PAC) Member
categories for the North Park Redevelopment Project, to
provide for eleven total members of the PAC, broken
down into the following categories:

Three - residential tenants
Three - residential owner occupants
Two - business owners
Three - existing community organization
representatives.

CITY MANAGER SUPPORTING INFORMATION:

On October 16, 1990, the City Council adopted by Resolution
R-276720, the procedure for formation of the Project Area
Committee (PAC) for the North Park Redevelopment Project. On
January 15, 1991, the City Council approved the PAC
representatives initially elected to fill the 15 total PAC seats
(Resolution R-277220, ratified PAC election of December 15,
1990). Subsequent difficulty filling vacant PAC seats and
frequent inability to muster a quorum resulted in City Council
approval of a resolution which reduced the PAC membership from 15
to 12 seats (Resolution R-283707) on April 18, 1994.

The PAC currently has seven filled seats and five vacant seats.
On May 10, 1994, the PAC convened with seven members to
constitute a quorum, but before the action items contained on the
meeting agenda could be addressed, one PAC member departed the
meeting. The PAC has experienced an inability to hold a quorum
due to members having to leave the meeting because of personal or
other reasons. The membership reduction will also create an odd

number to preclude tie voting. Therefore, it is recommended to amend the PAC formation procedures to reduce the North Park PAC numerical membership from 12 to 11, in order to ensure a quorum of 6, and enable the PAC to conduct official business, i.e., elect new members onto the PAC, and elect PAC officers. The reduction is recommended as follows: 1 - Business Owner/Property Owner.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO RETURN TO THE CITY MANAGER AT HIS REQUEST. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Fiscal Year 1995 Tax Appropriations Limit.
(See City Manager Report CMR-94-154.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1835) ADOPTED AS RESOLUTION R-284019

Establishing the following tax appropriations limit for the City of San Diego, pursuant to California Government Code, Division 9, Title 1 (Sections 7900 et seq.):

Established for Fiscal Year 1993	\$627,846,154
Established for Fiscal Year 1994	\$659,301,246
Established for Fiscal Year 1995	\$673,410,293

Declaring that the documentation for the established tax appropriations limit has been made available for public information and review at the Office of the City Clerk since May 20, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.

Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Public Facility Irrigation Assistance Grant.
(Mission Bay Park, Mira Mesa, Southeast San Diego
Community Areas. Districts-2,4, & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1816) ADOPTED AS RESOLUTION R-284020

Approving the application and assurances for Grant
Funds under the Public Facility Irrigation Assistance
Program - Irrigation Retrofit Project;

Authorizing the City Manager to negotiate and execute
all agreements necessary to comply with the Coastal
Conservancy's grant requirements, including the
Memorandum of Understanding with the County Water
Authority;

Authorizing the City Auditor and Comptroller to
establish a separate interest bearing fund for grant
monies received.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego County Water Authority has established a Public
Facility Irrigation Assistance Program to offer financial
incentives to improve irrigation efficiency and conserve water in
public facilities. The Park and Recreation Department, working
with the Water Utilities Water Conservation Program, proposed
several projects which met the Program's requirements. Four
projects were selected by the Authority at the following
locations: Ski Beach, East Mission Bay, Mesa Viking, and
Gompers Parks. The projects will consist of irrigation head
retrofitting and realignment to improve water conservation and
turf conditions.

The total estimated savings for all four projects is 21.32 acre
feet of water per year. The savings will contribute to the
City's ongoing conservation efforts and should save approximately
\$11,000 annually in water costs. The labor required for the

retrofit projects will fulfill the City's matching contribution under the Program's requirements. The San Diego County Water Authority must distribute their grant funds before June 30, 1994; therefore, prompt action is required in order to secure the funding.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Settlement of the Personal Injury Claim of Ricky
Phetsauath Sombounkhane.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1828) ADOPTED AS RESOLUTION R-284021

A Resolution approved by the City Council in Closed
Session on Tuesday, May 17, 1994 by the following vote:
Mathis-yea;

Roberts-yea; Kehoe-yea; Stevens-yea; Warden-yea;
Stallings-yea;

McCarty-yea; Vargas-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of
\$75,000 in the settlement of each and every claim
against the City, its agents and employees, resulting
from the personal injuries to Phetsauath Ricky
Sombounkhane (Superior Court Case No. 654944, Inthavone
Sombounkhane v. City of San Diego);

Authorizing the City Auditor and Comptroller to issue
one check in the total amount of \$75,000 made payable
to Phetsauath Ricky Sombounkhane, a minor, by and
through his Guardian Ad Litem, Inthavone Sombounkhane
and their attorney, Anthony J. DeLellis, in full
settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the Personal Injury Claim of Ricky Phetsauath Sombounkhane against the City of San Diego, its agents and employees, as a result of an incident which occurred on May 16, 1992.

Aud. Cert. 9401151.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: San Diego AARP Metro Chapter No. 4916 Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:
Adopt the following resolution:

(R-94-1776) ADOPTED AS RESOLUTION R-284022

Commending the San Diego AARP Metro Chapter No. 4916
and its members for being a part of the second largest
organization in the United States;

Proclaiming May 14, 1994 to be "San Diego AARP Metro
Chapter No. 4916 Day."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Mission Hills Beautification Day.

(District-2.)

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1842) ADOPTED AS RESOLUTION R-284023

Recognizing and highly commending the outstanding
commitment and sacrifice of the Mission Hills
Association, residents, and businesses to improve their
community;

Encouraging the Mission Hills Community to continue its
goal of improving Washington Street from India Street
to First Avenue;

Proclaiming June 4, 1994 to be "Mission Hills
Beautification Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Dia de Portugal Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1873) ADOPTED AS RESOLUTION R-284024

Congratulating and thanking the Portuguese community
for their service to San Diego;

Proclaiming June 10, 1994 to be "Dia de Portugal Day"
in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Recognizing Aaron Feldman as one of the Fathers of the
Year.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1851) ADOPTED AS RESOLUTION R-284025

Congratulating Aaron Feldman for his recognition as one
of San Diego's Outstanding Fathers of the Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Recognizing Dr. Louie Linarelli as one of the Fathers
of the Year.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1852) ADOPTED AS RESOLUTION R-284026

Congratulating Dr. Louie Linarelli for his recognition
as one of San Diego's Outstanding Fathers of the Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Recognizing Sid Gilman as one of the Fathers of the
Year.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1846) ADOPTED AS RESOLUTION R-284027

Congratulating Sid Gilman for his recognition as one of
San Diego's Outstanding Fathers of the Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Recognizing Charles Feurzeig as one of the Fathers of
the Year.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1833) ADOPTED AS RESOLUTION R-284028

Congratulating Charles Feurzeig for his recognition as
one of San Diego's Outstanding Fathers of the Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Agreement for Engineering Services with ASL Consulting
Engineers for Sewer and Water Main Replacement Groups
529 and 530.
(Old San Diego, Midway and Peninsula Community Areas.
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1853) ADOPTED AS RESOLUTION R-284029

Authorizing an agreement with ASL Consulting Engineers
(Los Angeles, CA) for professional services in
connection with Sewer and Water Main Replacement Groups
529 and 530;

Authorizing the expenditure of not to exceed \$550,000
consisting of \$370,000 from Water Revenue Fund 41500,
Water Construction Outlay 70592, CIP-73-083.0, and
\$180,000 from Sewer Revenue Fund 41506, Sewer
Construction Outlay 70492, CIP-44-001.0, for providing
funds for this project, as follows:

- 1) An amount not to exceed \$420,172 for the above
agreement;
- 2) An amount not to exceed \$129,828 for related
in-house administrative support;

Authorizing the City Manager to finance or refinance
this project with tax exempt securities, if
circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide engineering services for the design
of Sewer and Water Main Replacement Groups 529 and 530. The
project consists of the replacement of approximately 17,450 feet
of 12-inch and 16-inch diameter water lines and 6,664 feet of
8-inch and 10-inch diameter sewer pipelines. The project is
located along Rosecrans Street and Taylor Street in the Old San

Diego, Midway and Peninsula Community Areas. Groups 529 and 530 will improve the sewage collection system, and will enhance the water distribution system for the service area. Six firms were nominated and interviewed in conformance with Council Policy 300-7, and ASL Consulting Engineers was selected as the best qualified consultant to provide the services. Due to the location and complexity of the job, ASL will provide specialized services including: investigation of the various replacement/parallel alignment options with the least impact on the businesses within the area, investigation of the complex environmental and geotechnical issues, preparation of traffic plans for Rosecrans Street (State Highway), perform dewatering study, and obtain all required permits for the project.

Aud. Cert. 9401146.

WU-U-94-161.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-121: CONTINUED TO JUNE 20, 1994

SUBJECT: Agreement for Design Services for the Scripps Poway
Parkway Subsystem - Reclaimed Water.
(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1799)

Authorizing the City Manager to enter into an agreement with Barrett Consultant Group (San Diego), for professional design services for the Scripps Poway Parkway Subsystem - Reclaimed Water for a total contract amount of \$515,715;

Authorizing the City Manager to expend \$515,715 from Water Revenue Fund No. 41500, CIP-70-921.0, Scripps Poway Parkway Subsystems - Reclaimed Water, in the

following manner:

1. \$80,000 from Fiscal Year 1994 appropriations.
2. \$435,715 from Fiscal Year 1995 appropriations
contingent upon City Council approval of funds for this
purpose in the Fiscal Year 1995 CIP Budget.

CITY MANAGER SUPPORTING INFORMATION:

The Scripps Poway Parkway Subsystem is an integral part of the Reclaimed Water Distribution System. This project is necessary to implement the Consumers' Alternative and to distribute reclaimed water produced by the North City Water Reclamation Plant. As discussed in the Reclaimed Water Distribution System Master Plan, the Scripps Poway Parkway Subsystem will carry Title 22 Reclaimed Water from the intersection of I-15 and Scripps Poway Parkway, then west along Scripps Poway Parkway to the City of Poway, approximately 10,000 feet. The intent of serving additional users along the pipeline route will also be addressed in the design of this project. The MBE/WBE participation for this project is 18.7 percent MBE and 4.7 percent WBE. With this agreement, approximately 13 local jobs would be provided.

Aud. Cert. 9401112.

WU-CWP-94-151.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B122-132; E121-131.)

MOTION BY STEVENS TO CONTINUE TO JUNE 20, 1994 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Agreement for Design Services for the Miramar Road Subsystem Extension - Reclaimed Water Distribution System.
(Mira Mesa and Scripps Miramar Ranch Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1843) ADOPTED AS RESOLUTION R-284030

Authorizing an agreement with Camp, Dresser & McKee, Inc. (San Diego), for professional design services in connection with the Miramar Road Extension - Reclaimed Water Distribution System;

Authorizing the expenditure of not to exceed \$616,000 from Water Revenue Fund 41500, CIP-70-916.0, Miramar Road Extension - Reclaimed Water Distribution System, to be expended in the following manner:

\$150,000 from Fiscal Year 1994 appropriations; and
\$466,000 from Fiscal Year 1995 appropriations,
contingent upon Council approval of funds for this
purpose in the Fiscal Year 1995 CIP budget;

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

The Miramar Road Subsystem Extension is an integral part of the Reclaimed Water Distributions System. This project is necessary to implement the Consumers' Alternative and to distribute reclaimed water produced by the North City Water Reclamation Plant. As discussed in the Reclaimed Water Distribution System Master Plan, the Miramar Road Subsystem Extension consists of a pipeline approximately 17,500 feet in length that will carry Title 22 Reclaimed Water emanating from the North City Water Reclamation Plant from Miramar Road to the Scripps Ranch area. The intent of serving additional users along the pipeline route will also be addressed in the design of this project. The MBE/WBE participation for this project is 8.1 percent MBE and 15.3 percent WBE. With this agreement, approximately 15 local jobs would be provided.

Aud. Cert. 9401152.

WU-CWP-94-160.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

* ITEM-123: CONTINUED TO JUNE 27, 1994

SUBJECT: Consultant Agreement for the Design of Genesee Avenue -
Nobel Drive to State Route 52 Widening.

(University City Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1860)

Authorizing an agreement with Leedshill-Herkenhoff,
Inc. (San Diego), to provide consultant services for
CIP-52-458.0, Genesee Avenue - Nobel Drive to State
Route 52 Widening;

Authorizing the expenditure of not to exceed \$460,000
from CIP-52-458.0, Genesee Avenue - Nobel Drive to
State Route 52, FBA Fund 79001.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide for the widening of Genesee Avenue from
its present four lanes to six lanes from Nobel Drive to State
Route 52 and adding a right turn only lane from Nobel Drive to
southbound Genesee Avenue. The project will also reconstruct the
southbound Genesee Avenue to westbound State Route 52
intersection and will add a traffic signal. The Class II Bicycle
Lanes will be retained and all curb parking eliminated along
Genesee.

This segment of Genesee Avenue presently exceeds the recommended
maximum average daily traffic for a four lane major street.
Leedshill-Herkenhoff, Inc., was chosen in accordance with Council
Policy 300-7 after interviewing five consultant teams provided by
the Consultant Selection Committee. The project is identified in
the North University City Facilities Benefit Assessment as
project NUCA.

Aud. Cert. 9401139.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO CONTINUE TO JUNE 27, 1994 AT THE REQUEST OF THE CITY MANAGER. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: First Amendment to Agreement with Willdan Associates for Consultant Services.

(Centre City, La Jolla, and Mid-City Community Areas. Districts-1, 2, 3, and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1855) ADOPTED AS RESOLUTION R-284031

Authorizing a first amendment to agreement with Willdan Associates (Orange County), for consultant services for traffic signal and street light design;

Authorizing the expenditure of not to exceed \$15,700 from CIP-68-011.0, Annual Allocation - Modernize Top 5-10 Prioritized Traffic Signals, TransNet Fund 30300, Sublet 68-103.6, for the above project.

CITY MANAGER SUPPORTING INFORMATION:

On March 15, 1993, the City Council authorized an agreement with Willdan Associates, to provide professional traffic signal and street light design services when needed, including but not limited to, preparing plans, specifications, estimates, site inspections, displays and reports, and providing assistance and guidance to City staff on traffic signal and street lighting projects. On March 31, 1993, Willdan Associates was authorized to provide conceptual, final and complete working plans and specifications with cost estimates for the construction of a new traffic signal at Red Cedar Drive and Scripps Lake Drive. On January 20, 1994, Willdan Associates was authorized to provide conceptual, final, and complete working plans and specifications with cost estimates for the modernization of traffic signals at eleven locations throughout the City. Since January, 1994, additional sites have been identified which were not in the scope of the original agreement. This first amendment will provide for an increase in the consultant's compensation to cover the

additional services needed.

Aud. Cert. 9401129.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: MOU for Cooperation in Habitat Conservation Planning
and Management.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1870) ADOPTED AS RESOLUTION R-284032

Authorizing a Memorandum of Understanding (MOU) among
the U.S. Department of the Interior - Bureau of Land
Management (BLM), the County of San Diego, the U.S.
Department of the Interior - Fish and Wildlife Service,
the California Department of Fish and Game, and the San
Diego Association of Governments (in a coordinating
role), to cooperate in planning and managing
publicly-owned lands within the San Diego region for
conservation of the region's rich and unique biological
diversity and maintenance of its economic viability.

CITY MANAGER SUPPORTING INFORMATION:

The main purpose of this MOU is to encourage the inclusion of
Federal lands being managed by BLM in the regional preserve
system proposed by the three major habitat conservation programs
being conducted in San Diego County: the City of San Diego's
Multiple Species Conservation Program (MSCP), SANDAG's North
County Multiple Habitat Conservation Program (MHCP), and the
County's Multiple Habitat Conservation/Open Space Program
(MHC/OSP).

In addition, by way of this MOU, BLM seeks assurance that the
City, SANDAG, and the County will participate in the assessment

of the wildlife value of publicly-owned lands located within the geographical areas of the three habitat conservation programs and in the development of a strategy for incorporating publicly-owned lands with high wildlife value into the proposed regional preserve system. The MOU does not obligate the City to undertake work beyond what can be accommodated by existing staff or to contribute to BLM anything more than existing information (including maps). Assessment of wildlife value and the development of strategies for including public lands already comprise main tasks within the City's scope of work for preparation of the MSCP plan.

FILE LOCATION: MEET CONTFY94-5

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Appointment to the San Diego County Water Authority
Board.

(See memorandum from Mayor Golding dated 5/10/94 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1874) ADOPTED AS RESOLUTION R-284033

Council confirmation of the appointment by the Mayor of
Janice M. Strode, to serve as a member of the San Diego
County Water Authority Board, for a term ending March
7, 1998, replacing Maria Velasquez, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Reauthorization of the Safe Drinking Water Act.

(See Intergovernmental Relations Department Report
IRD-94-12.)

RULES COMMITTEE'S RECOMMENDATION:

On 5/9/94, RULES voted 5-0 to recommend adoption of the following resolution: (Mayor Golding and Councilmembers Roberts, Stevens, Stallings and McCarty voted yea.)

(R-94-1849) ADOPTED AS RESOLUTION R-284034

Supporting the adoption of H.R. 3392 (Slattery), which will protect the quality of all water supplies in a responsible manner, and urging all U. S. congressional representatives to join in cosponsoring this critical legislation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: CONTINUED TO JULY 25, 1994

SUBJECT: Appropriate Rates for Basic Tier Cable Television Service Provided by Cox Cable San Diego, Inc.

(See City Manager Report CMR-94-161; and Auditor-Comptroller Report dated 5/23/94.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1388 Rev. 2)

Disapproving the existing rates and charges for the Basic Service Tier and associated equipment for Cox

Cable San Diego, Inc. (Cox);

Directing immediate implementation of new rates and charges as set forth in the City Auditor's Report dated May 23, 1994;

Directing implementation of a refund to subscribers for rates and charges collected since September 1, 1993 in excess of the rates and charges set forth in the City Auditor's Reports dated March 16, 1994 and May 23, 1994;

Directing Cox to use the appropriate Federal Communications Commission (FCC) Form with future filings as required by the FCC Rules and Regulations.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B237-369.)

MOTION BY McCARTY TO CONTINUE TO JULY 25, 1994 TO ALLOW TIME FOR FCC TO RESPOND TO LETTERS ISSUED TO THEM BY THE CITY OF SAN DIEGO, CITY OF LA MESA AND COX CABLE. Second by Kehoe. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Appropriate Rates for Basic Tier Cable Television Service provided by Southwestern Cable Television.

(See City Manager Report CMR-94-161; and Auditor-Comptroller Report dated 5/23/94.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2044 Cor.Copy 9/23/94) ADOPTED AS RESOLUTION R-284035

Determining that the existing rates and charges for the Basic Service Tier and associated equipment for Southwestern Cable Television (Southwestern) appear to be in substantial conformity with the applicable Federal Communications Commission (FCC) Benchmark standards, as indicated in the City Auditor's Report dated May 23, 1994;

Directing Southwestern to use the appropriate FCC form with future filings as required by FCC Rules and Regulations;

Directing Southwestern to provide information with the filing of FCC Forms 1200 as to whether the "a la carte" services it offers should be treated as a "regulated tier" pursuant to FCC Rules and Regulations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B370-468.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION AND TO ADOPT ITEM 207. Second by Warden. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Interim Equal Opportunity Program Proposal from DEGA/TMS, the City's Disparity Study Consultant.

(See City Manager Report CMR-94-150.)

Adoption of the following resolution:

(R-94-1834) ADOPTED AS RESOLUTION R-284036

Accepting the DEGA/TMS proposal for an Interim Equal Opportunity Program, as set forth in the City Manager's report on the same subject.

CITY MANAGER'S RECOMMENDATION:

- 1) Adopt the above resolution accepting the DEGA/TMS Proposal for an Interim EO Program.
- 2) Direct the Manager to prepare an implementation plan and begin implementation on those program elements that are included in the "short term" section of the DEGA/TMS proposal and appropriate program recommendations from the Manager's Proposed Interim Program (Manager's Report CMR-94-49) that can be implemented within current budgetary resources.
- 3) Direct the Manager to further review the "Intermediate Term" implementation options from the DEGA/TMS Report in conjunction

with the recommendation from the Manager's Proposed Interim Program (Manager's Report CMR-94-49) and report back to Council within 60 days.

Other Recommendations:

The Citizens' Equal Opportunity Commission will be presented with the proposal for discussion in their meeting of June 7, 1994 and it is anticipated that they will make their recommendation known to the Council prior to the Manager reporting back to Council within 60 days.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B469-D295.)

MOTION BY STEVENS TO ADOPT THE CITY MANAGER'S RECOMMENDATION AND TO ACCEPT MAYOR GOLDING'S RECOMMENDATION TO RETURN TO COUNCIL WITH THE ANALYSIS PROCESS IN 30-45 DAYS RATHER THAN 60 DAYS. DIRECT THE CITY MANAGER TO COME BACK AT THAT TIME WITH RECOMMENDATIONS FOR PROVIDING MONITORING REPORTS ON HOW THE PROGRAM IS WORKING ONCE IT HAS BEEN IMPLEMENTED. REPORTS ARE TO BE IN WRITTEN FORM AND SHOULD BE HEARD BY THE COMMITTEE BEFORE COMING BEFORE COUNCIL. DIRECT THE CITY ATTORNEY TO BE READY TO GIVE COUNCIL AN OPINION IN THE AREA OF BUYERS DISCRETION AND PROMPT PAYMENT PROGRAM SO THAT COUNCIL WILL UNDERSTAND WHAT THE LEGAL BASIS IS AND NOT MAKE MISTAKES. Second by Warden. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

Motion by Vargas to refer the CCC's (Construction Contractors Coalition) proposal to the City Manager for his review. Second by McCarty. Passed. Yeas-2,3,5,7,8,M. Nays-4,6. Not present-1.

ITEM-203:

SUBJECT: San Diego Naval Training Center - Extension of the Surplus Determination and Federal Screening Process.

(See City Manager Report CMR-94-147. Peninsula/Future Urbanizing Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1775) ADOPTED AS RESOLUTION R-284037

Requesting the Secretary of the Navy to delay making a final surplus determination with respect to the San Diego Naval Training Center for six months, or until such time as a draft reuse plan/redevelopment plan is developed, whichever occurs first;

Declaring that the above action will permit preparation of a draft comprehensive plan that will provide criteria for evaluation of specific proposals submitted through the screening process.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Agreement with MTDB for Regulation of Taxicabs and Other For-Hire Passenger Vehicles.

(See City Manager Report CMR-94-160; Final Report and Recommendation of the Taxicab Regulation Committee; and Memorandum of Law dated 5/19/94.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-456) ADOPTED AS AMENDED AS RESOLUTION R-284038

Authorizing a third amendment to the agreement with the San Diego Metropolitan Transit Development Board (MTDB), for administration of paratransit regulations to continue to regulate paratransit services for an additional three-year period of operation, from July 1, 1994 through June 30, 1997;

Authorizing MTDB to continue to provide for the regulation of taxicabs and other for-hire passenger vehicles;

Approving recommendations 2 and 3 of the Taxicab

Regulation Committee, as stated in the Final Report and Recommendation of the Taxicab Regulation Committee and as described in City Manager Report CMR-94-160.

OTHER RECOMMENDATIONS:

On May 19, 1994, the Taxicab Regulation Committee voted 5-0 to make the following recommendations:

1. That the City extend for one year its agreement with MTDB to regulate the taxicab industry.
2. That the City Council make the following suggestions to MTDB:
 - a. formalize the Taxicab Liaison Committee (TLC);
 - b. add a representative from the MTDB Board to serve as a liaison to the TLC;
 - c. invite representatives from the tourist and visitor's industry such as the Convention and Visitor's Bureau, the Chamber of Commerce, the Hotel-Motel Association and the Restaurant Association to participate on the TLC.
3. That the City Council explore possible alternatives to changing current California law regarding the regulation of jitneys & shuttles.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: D296-E115.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION AS AMENDED TO HAVE A ONE-YEAR PERIOD RATHER THAN A THREE-YEAR PERIOD. Second by Vargas. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Two actions related to the Downtown Maintenance Assessment District.

(Centre City Community Area. Districts-2,3, & 8.)
(Continued from the meeting of May 9, 1994, Item 106, at the City Manager's request.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1538) ADOPTED AS RESOLUTION R-284039

Resolution of Intention to annex territory to the district and to levy and collect assessments on the Downtown Maintenance Assessment District.

Subitem-B: (R-94-1539) ADOPTED AS RESOLUTION R-284040

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for the Downtown Maintenance Assessment District which was formed in January of 1972 by Council resolution. The district provides specialized services such as litter and graffiti control, street tree maintenance and sidewalk cleaning to individual zones within the district as well as maintaining a system of open space/parks. It is proposed that the Gaslamp Square Park be incorporated into the open space/parks zone of the district. This park, located at the southwest corner of Fifth and "L" Streets, is now under construction and is expected to be completed in September of 1994.

The estimated FY '95 maintenance cost for the Gaslamp Square Park is \$30,000. The Assessment Engineer has determined that the Downtown Maintenance Assessment District will benefit from 40 percent of this park, with the remaining benefits received by the Gaslamp District (20 percent) and the City (40 percent). It is recommended that the annual maintenance costs for the park be paid by those receiving benefit in these proportions, a proposal which has been endorsed by the Downtown Partnership Association, the Gaslamp Quarter Association, and the City Park and Recreation Department. The estimated FY '95 maintenance cost to the Downtown Maintenance Assessment District for the Gaslamp Square Park is \$12,000. The total amount proposed to be assessed to the district for FY 1995 is \$689,141 compared to \$862,160 for FY 1994. This amount reflects FY '95 savings in personnel expenses. A current and prior year cost breakdown for each of the six zones is as follows:

	Street	"C" St	Litter/	Horton	E.	Open	
Zone	<u>Trees</u>	<u>Mall</u>	<u>Graffiti</u>	<u>Plaza</u>	<u>Broadway</u>	<u>Parks</u>	<u>Total</u>
FY'95	\$108,066	\$131,914	\$348,476	\$51,729	\$34,388	\$14,568	\$689,141
FY'94	\$140,732	\$162,499	\$448,127	\$48,242	\$45,473	\$17,097	\$862,160

FILE LOCATION: STRT M-312

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Two actions related to the Gaslamp Quarter Landscape
and Lighting Maintenance District.

(Centre City Community Area. District-8.)
(Continued from the meeting of May 9, 1994, Item 107,
at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1528) ADOPTED AS RESOLUTION R-284041

Resolution of Intention to annex territory to the
district and to levy and collect assessments on the
Gaslamp Quarter Landscape and Lighting Maintenance
District.

Subitem-B: (R-94-1529) ADOPTED AS RESOLUTION R-284042

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for the Gaslamp Quarter Landscape and Lighting Maintenance District. The district provides landscaping, tree maintenance, sidewalk litter control, graffiti removal as well as electrical energy and maintenance for the ornamental street lights within the district. It is proposed that the district pay for a portion of the maintenance for the Gaslamp Square Park located at the southwest corner of Fifth and "L" Streets. The park is now under construction and is expected to be completed in September of 1994. The estimated FY '95 maintenance cost for the Gaslamp Square Park is \$30,000. The Assessment Engineer has determined that the Gaslamp Quarter Landscape and Lighting District benefits from 20 percent of this park, with the remaining benefits received by the Downtown Maintenance Assessment District (40 percent) and the City (40 percent). It is proposed that the

annual maintenance costs for the park be paid by property owners receiving benefit in the above proportions, a proposal which has been endorsed by the Gaslamp Quarter Association, the Downtown Partnership Association, and the City Park and Recreation Department. The estimated FY '95 maintenance cost to the district for this park is \$6,000. The total annual assessment to the district for FY '95 is proposed to be \$349,239 compared with \$291,447 for FY '94. The FY '95 assessment increase is a result of a reduction in the carry-over and interest balance which was, at the request of the community, used to lower FY '94 assessments. Individual assessments in this district vary depending on the level of service provided, the number of stories in a building, and the greater of either the area of the building or parcel lot size. Assessments to individual parcels for FY '95 are proposed to be \$.40/sq.ft. to parcels receiving the maxi-service and \$.09/sq.ft. to parcels receiving the mini-service.

FILE LOCATION: STRT M-313

COUNCIL ACTION: (Tape location: B097-B236.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-not present,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Substitution of Credit Enhancement for \$22,000,000 City
of San Diego La Jolla Pointe Apartments Bonds (1984
Issue D).

(See Report to Mayor and Council dated 5/24/94.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1875) ADOPTED AS RESOLUTION R-284043

Approving the First Supplemental Indenture and First
Amendment to Letter of Credit Agreement under the City
of San Diego \$22,000,000 Variable Rate Multifamily
Mortgage Revenue Demand Bonds 1984 Issue D (La Jolla
Pointe Apartments) in connection with the substitution
of credit enhancement for the bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B370-468.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION AND TO ALSO ADOPT ITEM 207. Second by Warden. Passed by the following vote: Mathis-not present, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: Three actions related to Substitute for Increasing the Transient Occupancy Tax Rate by 1.5 Percent, from 9 Percent to 10.5 Percent.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances and adopt the resolution:

Subitem-A: (O-94-119) INTRODUCED AS AMENDED, TO BE
ADOPTED JUNE 20, 1994

Introduction of an Ordinance amending the San Diego Municipal Code, Chapter III, Article 5, Division 1, Transient Occupancy Tax.

Subitem-B: (O-94-120) NOTED AND FILED

Introduction of an Ordinance amending the San Diego Municipal Code, Chapter IX, Article 8, Division 5, Section 98.0503, Establishment of the San Diego Housing Trust Fund and Trust Fund Account.

Subitem-C: (R-94-1877) ADOPTED AS AMENDED AS RESOLUTION
R-284044

Amending Council Policy 100-3 pursuant to the adoption of the 1.5 percent increase in the Transient Occupancy Tax Rate.

FILE LOCATION: SUBITEM A: NONE; SUBITEM B & C: MEET

COUNCIL ACTION: (Tape location: E132-G455.)

Motion by McCarty to add a letter "H" to the City Manager's recommendation to read: "That effective July 1, 1998, if the TOT rate is increased, that one cent be allocated for

the new central library funding. No second.

Motion by Roberts to introduce the ordinance and work on the formula. Second by Kehoe. Vote not taken.

MOTION BY WARDEN TO APPROVE THE 1.5% INCREASE IN TOT TAX.
Second by Kehoe.

MOTION BY VARGAS TO INCLUDE THE ENTIRE PACKAGE AND TO ADD
THE DELETED LANGUAGE BACK INTO THE ORDINANCE WHICH STATES AS
FOLLOWS:

"AN ANNUAL ALLOCATION AS DETERMINED BY THE CITY COUNCIL FROM
REVENUES COLLECTED BY THE CITY UNDER SECTION...SHALL BE
DEPOSITED IN THE HOUSING TRUST FUND OF THE CITY." ACCEPT
COUNCIL MEMBER STALLINGS' REQUEST FOR A COMMITMENT TO TRY
AND FIND ADDITIONAL FUNDS FOR BALBOA PARK AND THE FILM
COMMISSION. Second by Roberts. Passed by the following
vote: Mathis-not present, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-nay, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-209:

SUBJECT: Two actions related to Year-End Budget Adjustments.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and hold the first public hearing
of the ordinance:

Subitem-A: (R-94-1878) ADOPTED AS RESOLUTION R-284045

Authorizing year-end budget adjustments.

Subitem-B: (O-94-121) HEARING HELD

First public hearing in the matter of:

An ordinance amending Ordinance No. O-17947 (New
Series), as amended, entitled "An Ordinance Adopting
the Annual Budget for the Fiscal Year 1993-94 and
Appropriating the Necessary Money to Operate the City
of San Diego for said Fiscal Year" by amending Document
No. OO-17947, as amended and adopted therein.

NOTE: The second public hearing for introduction and
adoption of the ordinance will be held on June 20,
1994.

FILE LOCATION: SUBITEM A: MEET; SUBITEM B: NONE

COUNCIL ACTION: (Tape location: G456-516.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-not present, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-210: THIS ITEM WAS NOT CONSIDERED DUE TO THE DISTRICT NOT BEING FORMED

SUBJECT: San Diego Area Wastewater Management District Weighted Vote.

CITY COUNCIL'S RECOMMENDATION:

Consider the following issue, which has been docketed according to the direction of the City Council on 5/17/94:

Considering whether the weighted voting formula for the District, contained in Chapter 803 of the 1994 statutes, California Water Code Appendix, Sections 133-101 et seq., should be amended.

ADDITIONAL BUSINESS: (R-94-1946) ADOPTED AS RESOLUTION
R-284046

During consideration of the above regular business item, the following resolution was adopted:

Reaffirming the City Council's position to support the City's MOU which includes new language pertaining to the front funded cost.

FILE LOCATION: WATER - San Diego Area Wastewater Management District

COUNCIL ACTION: Tape location: G517-H312.)

MOTION BY STALLINGS TO ADOPT A RESOLUTION REAFFIRMING OUR POSITION THAT WE ARE SUPPORTING OUR CITY'S MOU WHICH INCLUDES THE CHANGE ON HOW THE FRONT FUNDED COST WILL BE PAID AS SUBMITTED BY THE CITY MANAGER. DIRECT THE CITY MANAGER TO SEND A LETTER TO ALL THE CITY MANAGERS WHICH CLARIFIES WHY WE NEED A LEGAL DOCUMENT AND A COMMITMENT FROM THEM, AND THE IMPORTANCE OF THEIR RESPONSE BY THE END OF THE WORK DAY ON JUNE 20, 1994. Second by Kehoe. Passed

by the following vote: Mathis-not present, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Stevens at 7:28 p.m. in honor of the memory of:

Olif J. Roed, requested by City Attorney Witt;

Dorothy Corbin Davis, requested by Mayor Golding;

Helen Elvida Wolterstoff, requested by Mayor Golding;

The 13 San Diegans who lost their lives 50 years ago on D-Day;

Robert F. Kennedy, who was shot and killed 26 years ago on June 6, 1968.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H399-450.)